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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 10808/2024

RAJAN PRASAD YADAV AND ORS.

.....Petitioners

Through: Mr. Sanjay Beniwal and Ms.
Manisha, Advs. along with petitioners
in person.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Ms. Shweta Priya, Adv. for MCD.
Ms. Vaishali, Gupta, Panel Counsel
(Civil), GNCTD along with Ms.
Shailja Sinha and Ms. Smita Dhaka,
Advs. for R-2 to 4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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05.08.2024

1. The petitioners are street vendors and have filed the present petition,
inter alia, praying as under:

- “i. Pass an order directing the respondents not to disturb the operation of the vending/ hawking unit of the petitioners at Dabri Sabji Mandi, Near Dabri Mod (Najafgarh Zone, Ward - S - 30) in reference/ compliance of the Certificate of Vending (COV) issued by the respondents;*
- ii. Pass an order directing the Respondent MCD to decide the Representations dated 29.02.2024 made by the Petitioners to declare the Category of Petitioners as Stationary Street Vendor at place of “Others” for Petitioner No. 1 and 2, and at place of “Food/Snack with Gas Cylinder/ Fire” for Petitioner No. 3 in the Certificates of Vending.”*



2. The petitioners have been issued Certificates of vending (hereafter *COVs*) reflecting their area of vending as Najafgarh Zone, Ward – S – 30.
3. One of the terms and conditions of the *COVs* require the petitioners to not carry on their vending activities at a fixed place for more than thirty minutes or for such time as may be prescribed by the Town Vending Committee (hereafter *TVC*).
4. The learned counsel for the respondent submits that he has no objection if directions are issued permitting the petitioners to carry on their vending activities, strictly in accordance with the terms of the *COVs*. He also has no objection if the petitioners' prayer for their representation to be decided, is allowed.
5. In view of the above, we direct that the petitioners shall not be disturbed from carrying on their vending activities *albeit*, subject to the same being carried on strictly in accordance with the *COV*.
6. The respondents are also directed to consider the petitioners' representation and take a decision at an appropriate stage.
7. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

SACHIN DATTA, J

AUGUST 05, 2024/cl